



PTO/SB/21 (09-04)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/657,886-Conf. #2621
	Filing Date	September 9, 2003
	First Named Inventor	Mark K. Hennig
	Art Unit	3617
	Examiner Name	F. F. Jules
Total Number of Pages in This Submission	Attorney Docket Number	HO-P02832US0

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Comments on Statement of Reasons for Allowance
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Part B-Fee(s) Transmittal
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	Return Receipt Postcard
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	FULBRIGHT & JAWORSKI L.L.P.		
Signature			
Printed name	Edward D. Steakley		
Date	JANUARY 24, 2005	Reg. No.	47,964



Application No. (if known): 10/657,886

Attorney Docket No.: HO-P02832US0

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. ER540909760US in an envelope addressed to:

MS Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on 1-24-05  
Date

  
Signature

Elena M. Maglito

Typed or printed name of person signing Certificate

Registration Number, if applicable

(713) 651-5253  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal

Fee Transmittal (1 page)

Part B-Fee(s) Transmittal

Check in the amount of \$1,015.00

Comments on Statement of Reasons for Allowance (2 pages)

Return postcard



Docket No.: HO-P02832US0  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Mark K. Hennig et al.

Allowed: November 23, 2004

Application No.: 10/657,886

Confirmation No.: 2621

Filed: September 9, 2003

Art Unit: 3617

For: WHEEL END ASSEMBLY HIGH-  
TEMPERATURE WARNING SYSTEM

Examiner: F. F. Jules

**COMMENTS ON STATEMENT OF REASONS  
FOR ALLOWANCE UNDER 37 CFR §1.104(E)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant has received the Examiner's Statement of Reasons for Allowance with the November 23, 2004 Notices of Allowance and Allowability regarding the above-identified application. Entry of the Statement into the record should not be construed as any agreement with or acquiescence in the reasoning stated by the Examiner. Each of the claims stands on its own merits and is patentable because of the combination it recites and not because of the presence or absence of any one particular element.

The Examiner's Statement was not prepared by Applicant and only contains the Examiner's possible positions in one or more reasons for allowability. Thus, any interpretation with respect to the Examiner's Statement of Reasons for Allowance should not be imputed to the Applicant. The Naedler, Koustron *et al.*, and Ploeger references are discussed below.

Naedler (U.S. 6,401,743) is directed to an automatic tire inflation system and is directed to a pneumatic valve for controlling the air to the system. This patent has nothing to do with temperature warning or temperature measuring and is only directed to controlling the

air pressure to the tire. Moreover, Naedler does not disclose the recited temperature warning structure as claimed by Applicant.

The reference to Kostroun et al. (U.S. 3,645,479) discloses a temperature sensing valve on an aircraft tire which will release the air pressure in the tire and activate a warning device when a predetermined temperature level is sensed. This system does not monitor the temperature of the aircraft bearings or axle. Moreover, Kostroun does not disclose a temperature-sensing valve mounted on an axle. Kostroun has a temperature-sensing valve mounted on each aircraft **tire**, which teach away from Applicant's claimed invention.

Ploeger (U.S. 4,058,185) discloses an automatic lubricator for wheel bearings having a heat responsive member and an end cap to release lubricant in response to high lubricant temperature and provide an indication of that release. Moreover, Ploeger does not disclose the recited temperature warning structure as claimed by Applicant.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2375, under Order No. HO-P02832US0 from which the undersigned is authorized to draw.

Dated: Jan. 24, 2005

Respectfully submitted,

By Edward D. Steakley  
Edward D. Steakley  
Registration No.: 47,964  
FULBRIGHT & JAWORSKI L.L.P.  
1301 McKinney, Suite 5100  
Houston, Texas 77010-3095  
(713) 651-5423  
(713) 651-5246 (Fax)  
Attorney for Applicant